

#### UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Fatent and Trademark Office Addres: Commissioner for Patents 10. Dog 1450 Alexandra, Vegania 22313-1450

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/796.323

03/09/2004

Kyle B. Cole

3649.1

Date Mailed: 06/04/2004

22886 AFFYMETRIX, INC ATTN: CHIEF IP COUNSEL, LEGAL DEPT. 3380 CENTRAL EXPRESSWAY SANTA CLARA, CA 95051 CONFIRMATION NO. 2108
FORMALITIES LETTER
\*\*OC00000012875956\*



### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

#### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
   A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

\$130 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

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A copy of this notice MUST be returned with the reply.

From-Affymetrix, Inc.

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7 to 7 de 888 \* RCVD AT 81412004 7:58:15 PM [Eastern Daylight Time] \* 5VR:USPTO-EFXRF-200 \* DNIS:7464060 \* CSID:4087315392 \* DURATION (mm-55):02-44

Customer Service Center

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

## PAGE 1/8 \* RCVD AT 8/4/2004 7:58:15 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-2/0 \* DNIS:7464060 \* CSID:4087315392 \* DURATION (mm-ss):02-44

BETTHE TRADE

PTO/SB/21 (04-04)

Approved for use through 07/31/2005, OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

ok 2		A LIVE AT THE RIVER IN A A	10/706 322				
TRANSMITTAL		Application Number	10/796,323				
FORM (to be used for all correspondence after initial filing)		Filing Date	03/09/2004				
		First Named Inventor	Kyle B. Cole				
		Art Unit	1642				
	Examiner Name	Unknown					
otal Number of Pages in This Submission	9	Attorney Docket Number	<b>36</b> 49.1				
	ENCLO	SURES (check all that apply)					
⊠ Fee Transmittal Form	☐ Drawin	ng(s)		owance Communication to logy Center (TC)			
Fee Attached	Licens	ing-related Papers	Appeal Communication to Board of Appeals and Interferences				
Amendment / Reply	Petitio	n	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)				
		n to Convert to a sional Application	Proprietary Information				
Affidavits/declaration(s) Power Chang		r of Attorney, Revocation ge of Correspondence Address	Status Letter				
Extension of Time Request		nat Disclaimer	Other Enclosure(s) (please identify below):				
		est for Refund	- Copy of Notice to File Missing Parts ( 2 pages); and				
Express Abandonment Request	CD, N	lumber of CD(s)	-Exe	ecuted Declaration (4 pages).			
Information Disclosure Statement							
Certified Copy of Priority Document(s)	Rem	arks					
Response to Missing Parts/ Incomplete Application							
Response to Missing Parts under 37 CFR 1.52 or 1.53							
SIGN	ATURE OF	APPLICANT, ATTORNEY, C	R AGENT				
Firm or Individual name Sandra E. Wells	Reg. No. 52,34	9					
	Candra G. WW/2						
Date August 4, 2004							
		ATE OF TRANSMISSION/MA					
I hereby certify that this correspondence Service with sufficient postage as first Alexandria, VA 22313-1450 on the date	เ ผลรร เกลแ	IN SHE GLIVELODE SCOLOSSES IA.	) or deposited Commissioner	with the United States Postal for Patents, P.O. Box 1450,			
Typed or printed name   Pamela Le							
Signature		remation is required to obtain or relate 8 b	Date	August 4, 2004			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this torm and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office. U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTQ-9199 and select option 2.

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AUG 0 4 2004 RADE!

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Applicant claims small entity status. See 37 CFR 1.27   Art Unit	TOT F1 2004					<b>—</b>							
Applicant claims small entity status. See 37 CFR 1.27	Effective 10/01/2003. Patent fees are subject to annual revision.												
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**or number previously paid. If greater; For Reissues, see above  Complete (7 applicable)	**or number p	neviously paid.	# greater; For I	Reissues, sce abo	we			-		·	picte (7 applicable)		
SUBMITTED BY Registration No.	SUBMITTED BY	<u> </u>		- · · · · · · · · · · · · · · · · · · ·	Registration No.								
Name (Print/Type) Sendre E. Weits (Attorney/Agent) 52,349 Telephono 404-711-3000	Name (Print/Typ	DE) 55		1 (4 )	(Attorney/Agent)		52,349			Telephono 408-731-5000  Date August 4, 2004			
Signature Date August 4, 2004  WARNING: Information on this form may become public. Credit card information should not be													

Included on this form. Provide crodit card information and authorization on PTO-2038.

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or relatin a benefit by the public which is to file (and by the USPTO to process) and This collection is estimated to take 12 minutes to complete, including gathering, prepange, and submitting the application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, prepange, and submitting the application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete his form and/or suggestions completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments of Commerce, P.O. 80x 1450, Alexandria, VA 22313-1450. The value of the USPTO in the William State of the USPTO in the USPTO in the William State of the USPTO in the USPTO in the William State of the USPTO in the USP